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August 15, 2022

Via CM/ECF

The Honorable Hector Gonzalez
United States District Court
225 Cadman Plaza
East Brooklyn, New York 11201
Courtroom: 6A South

RE: Dawkins v. L.L. Bean, Inc., 1:22-cv-02626

Dear Judge Gonzalez:

We write on behalf of Plaintiff Elbert Dawkins and Defendant L.L. Bean, Inc. (together, the “Parties”) in the above captioned matter. Per the Court’s request during the Status Conference held on July 13, 2022, the Parties hereby submit this letter regarding the status of their discussions to resolve this matter. To date, the Parties have been engaged in discussions to resolve this matter without burdening this Court’s time and resources. In furtherance of those efforts, the Parties have informally exchanged information regarding the underlying allegations in this matter. Plaintiff’s counsel has provided Defendant’s counsel with a report analyzing Defendant’s website and the alleged accessibility barriers that Plaintiff encountered. Plaintiff’s counsel has also provided Defendant’s counsel with an initial demand to resolve Plaintiff’s claims. In return, Defendant’s counsel has provided Plaintiff’s counsel with information regarding the substantial remediation work that Defendant has conducted on its website and shared with Plaintiff’s counsel a report analyzing the current state of Defendant’s website and responding to the accessibility barriers Plaintiff allegedly encountered. The Parties anticipate they will engage in further discussion about this matter once Plaintiff’s counsel has had an opportunity to review and consider this information.

Furthermore, in accordance with Paragraph 5 of the Case Management Plan and Section I.D of the Court’s Individual Practices, the Parties jointly request that the Court modify the current deadlines in the Case Management Plan. The Parties do not make this request for the purpose of delay, but rather to continue their good faith discussions to resolve this dispute. In addition, modifying the deadlines in the Case Management Plan will bring the case schedule in line with Defendant’s new deadline to file an answer to Plaintiff’s complaint, September 1, 2022. At present, the Case Management Plan currently requires the Parties to serve discovery prior to the



deadline by which Defendant must file a responsive pleading. Accordingly, the Parties respectfully request that the Court modify the Case Management Plan as follows:

Discovery Activity	New Completion Date
Initial Disclosures required by Fed. R. Civ. P. 26(a)(1)	9/12/2022
Service of Requests for Production and Interrogatories	9/22/2022
Response to Requests for Production and Interrogatories	10/21/2022
Service of Requests for Admissions	9/22/2022
Response to Requests for Admissions	10/21/2022
Service of contention Interrogatories	10/31/2022
Response to contention Interrogatories	11/30/2022
Completion of fact witness depositions	12/12/2022
Completion of fact discovery	12/12/2022
Completion of expert discovery, including production of reports and related documents and depositions	2/10/2023

This is the Parties' second request for an extension of a deadline in this case. The Parties previously sought an extension of Defendant's deadline to respond to the complaint, which was granted by the Court. *See* Dkt. 11. The Parties previously requested an adjournment of the Status Conference set by the Court for June 30, 2022, which was also granted. *See* Dkt. 7. The Parties do not make this request for the purpose of delay, but instead to continue their discussions throughout this period. The Parties agree that that the requested extension will promote judicial efficiency and facilitate their good faith efforts to resolve this matter without further burdening this Court's time and resources.

We thank the Court for its kind consideration and courtesies.

Respectfully Submitted,



/s/ Mark Rozenberg
By: Mark Rozenberg, Esq.